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Attorneys for Defendant  
Nicholas Gray

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
NICHOLAS GRAY,  
  
Defendant.

CASE NO. 2:22-CR-83-TLN

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
ORDER

DATE: December 8, 2022  
TIME: 9:30 a.m.  
COURT: Hon. Troy L. Nunley

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record Emily G. Sauvageau, and defendant, by and through defendant's counsel of record Candice L. Fields, hereby stipulate as follows:

1. By previous order, this matter was set for status on December 8, 2022.
2. By this stipulation, defendant now moves to continue the status conference until January 19, 2023, at 9:30 a.m., and to exclude time between December 8, 2022, and January 19, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has represented that the discovery associated with this case includes investigative reports, photos, videos, and search warrant affidavits. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.
  - b) Counsel for defendant desires additional time to consult with her client, review

discovery, conduct any necessary investigation, and prepare for trial.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of December 8, 2022 to January 19, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: December 5, 2022

PHILLIP A. TALBERT  
United States Attorney

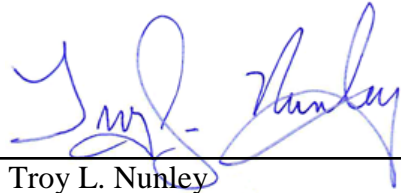
/s/ Emily G. Sauvageau  
Emily G. Sauvageau  
Assistant United States Attorney

Dated: December 5, 2022

/s/ Candice L. Fields  
Candice L. Fields  
Counsel for Defendant  
Nicholas Gray

**ORDER**

IT IS SO FOUND AND ORDERED this 6<sup>th</sup> day of December, 2022.



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Troy L. Nunley  
United States District Judge